

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER NIKOLA PESIC, et al.,

Plaintiffs,

-v-

MAURITIUS INTERNATIONAL ARBITRATION
CENTRE LTD., et al.,

Defendants.

23-CV-1100 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

Since being granted leave to file a Fifth Amended Complaint, *see* ECF No. 75, Plaintiff has filed a steady stream of declarations, letters, and notices purporting to inform the Court about various actions by individual Defendants and seemingly unrelated third parties. *See* ECF Nos. 76, 77, 78, 81, 83, 84, 85, 86, 87. Plaintiff should refrain from such submissions unless there is a need for Court intervention or the Court has ordered Plaintiff to provide information.

The Court also notes that, although Plaintiff's Fifth Amended Complaint was filed over two months ago, *see* ECF No. 79, the docket does not show proof of service on any Defendant. Plaintiff should focus his efforts on service of his Complaint within the relevant deadlines; he otherwise risks dismissal of his suit for failure to prosecute. *See* Fed. R. Civ. P. 4(m) ("If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time."); *see also* *USHA (India), Ltd. v. Honeywell Int'l, Inc.*, 421 F.3d 129, 133–34 (2d Cir. 2005) ("Although Rule 4(m) creates an exception for service in a foreign country . . . this exception does not apply if . . . the plaintiff did not attempt to serve the defendant in the foreign country [within 90 days].").

SO ORDERED.

Dated: May 12, 2025
New York, New York



JESSE M. FURMAN
United States District Judge